

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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CYPRIAN CARTER,

Plaintiff,

-against-

NEW YORK CITY POLICE DEPARTMENT  
113 PCT.,

Defendant.

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AMON, United States District Judge.

By order dated December 13, 2010, the Court granted plaintiff's request to proceed *in forma pauperis* pursuant to 28 U.S.C. § 1915 and dismissed his complaint against the New York City Police Department, 113 Precinct, for failure to state a claim pursuant to 28 U.S.C. § 1915(e)(2)(B). In light of plaintiff's *pro se* status, the Court granted him 30 days leave to replead his complaint to name proper defendants. Plaintiff was advised that if he failed to replead his complaint within the allowed time, judgment would enter against him. More than 30 days have elapsed and plaintiff has failed to respond to the Court's order. Accordingly, it is

**ORDERED, ADJUDGED AND DECREED:** that judgment is hereby entered on plaintiff's previously dismissed complaint. The Court certifies pursuant to 28 U.S.C. § 1915 (a)(3) that any appeal from this order and judgment would not be taken in good faith and therefore *in forma pauperis* status is denied for purpose of an appeal. See Coppedge v. United States, 369 U.S. 438, 444-45 (1962).

SO ORDERED.

s/Carol B. Amon

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CAROL B. AMON

United States District Judge

Dated: Brooklyn, New York

Jan. 27, 2011